

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA
2005 AUG 31 PM 1:52
OFFICE OF THE CLERK

KERRI M. HILL

Plaintiff,

v.

EMERGENCY DENTAL, INC. and
BRENTWOOD DENTAL GROUP, INC.,
Michael Obeng, Jared Derr

Defendant.

Case No.: 8:04CV 00613

**STIPULATED
PROTECTIVE ORDER**

To expedite the flow of discovery material, facilitate the prompt resolution of disputes over confidentiality, protect adequately material entitled to be kept confidential, and ensure that protection is afforded only to material so entitled, pursuant to the Court's authority under Rule 26(c) of the Federal Rules of Civil Procedure, and with the consent of the parties,

IT IS ORDERED:

1. Kerri Hill's federal and State tax returns for 2004 and 2003, and any balance sheet, financial statement, profit and loss statement or other financial document specifically prepared for the business of Hill Dental for 2004 will be disclosed to Defendants subject to:

a) Except upon order of the court or with the prior written consent of Kerri Hill, the documents shall not be used except as necessary in litigation between the Plaintiff and the Defendants and shall not be directly or indirectly disclosed to any person other than the Court, the Plaintiff or the Defendants, their counsel, legal assistants, secretaries, and other persons who may be employed by counsel for the Plaintiff, court reporters, and expert witnesses. Any such person who is provided access or copies to documents shall be subject to the terms of this Order.


2. Within thirty (30) days after the final disposition of litigation between the Plaintiff and the Defendants, whether by judgment and exhaustion of all appeals, or by

voluntary dismissal, ("Final Disposition") Plaintiff shall return all such documents and all copies, excerpts and abstracts to Kerri Hill. Counsel for the Defendants must continue to maintain the confidentiality of all such documents until the documents are returned. In addition, the Defendants' counsel will send written notice to the counsel for Kerri Hill that it has returned all such documents and is no longer in possession of any of such documents of Kerri Hill.

3. Any waiver under this Order must be in writing or, if at a deposition or in Court, on the record. Any waiver, unless expressly made general, shall be deemed limited to the specified purposes of the request or proceeding involved, and shall not otherwise waive any of the protections provided by this Order.

4. The terms and provisions of this Order are subject to modification, extension or limitation as may be hereafter agreed upon by the Plaintiff and Defendants or order of this Court.

SIGNED the 30th day of August, 2005.


U.S. District Court Judge
~~Magistrate Judge~~

Approved as to form:

By: 

Kayla VanGannon, #23048
Sherrets & Boecker, LLC
260 Regency Parkway Drive, Suite 200
Omaha, NE 68114
ATTORNEY FOR PLAINTIFF

Approved as to form:

By: 

Edward F. Pohren #16026
Dwyer, Smith, Gardner, Lazer,
Pohren, Rogers & Forrest
8712 W. Dodge Rd., Ste. 400
Omaha, Nebraska 68114
ATTORNEY FOR DEFENDANT
Emergency Dental, Inc.

Approved as to form:

By: _____

Kenneth J. LeRoy #20739
Anderson & Bressman Law Firm, P.C., L.L.O.
11440 West Center Road, Suite A
Omaha, NE 68144-4421
ATTORNEY FOR DEFENDANT
Brentwood Dental Group, Inc.

Approved as to form:

By: 

Kayla VanCannon, #13048

Sherrets & Boecker, LLC

260 Regency Parkway Drive, Suite 200

Omaha, NE 68114

ATTORNEY FOR PLAINTIFF

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Brentwood Dental Group, Inc.